K 1944

File No. Bom Rents Hotel Rates and Lodging House Rates Act 44

Legal Deptt

B **BRANCH**

Subject:—

Rules and Notifications under the Bombay Rents, Hotel Rates and Lodging House Rates Act-1942

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Office of the R.I.A.

So long as Controllers and Collectors are aware that they are Courts exercising quasi judicial powers under the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, and that they must proceed with full regard to the requirements of a hearing and nautral justice before making their final orders, it is legally immaterial whether any rules procedure are prescribed or not . But Controllers and Collector s may not always be aware of their quasi judicial status as appears from the Rent Controller (Bombay)'s letter (see A on page 4 ante) and such unawareness might provoke criticism from the High Court. From this point of view, and particularly since the High Court has raised the issue of profedural provisions for the Controller's Court, (please see the portions marked P?Q and R a and slipped in the copy of t e High Court judgment in Haveliram Shetty vs. H.I. Morvi) , it is desirable to make a simple rule like the one at A on page 21 ante. Such a rule is not likely to be challenged in the High Court.

Id/-

P.N.M.

dt/-

29/6/44/ .

Remembrancer of Legal Affairs.

U.R. to U.D. No. 24- L , dated the 29th June 1944.

VVK 17/7/46/

SC.